

UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF NORTH CAROLINA  
DURHAM DIVISION

IN RE:	)	Case No. 18-80386
	)	
LENT CHRISTOPHER CARR, II	)	Chapter 13
DELTARINA V. CARR	)	
Debtor.	)	
_____	)	

**VERIFIED OBJECTION BY DEBTOR TO CLAIM #5 OF JANNETTA JORDAN**

NOW COME the Debtors, pursuant to 11 U.S.C. § 502 and Rule 3007 of the Federal Rules of Bankruptcy Procedure, and object to Proof of Claim #5, filed by Jannetta Jordan in the amount of \$255,000.00. In support thereof, the Debtors show as follows:

1. The Debtors filed this chapter 13 case on March 20, 2018, and a plan has not been confirmed.

2. On May 13, 2018, Jannetta Jordan filed a claim #5 in this case in the unsecured amount of \$255,000.00, the aggregate of a \$250,000.00 claim on “cost of real property” and a \$5,000.00 claim on “personal property (Goods sold).”

3. Upon information and belief, the amounts claimed are based on an asserted implied contract or contract sounding in quantum merit.

4. As there is no writing attached to the Proof of Claim as required by Bankruptcy Rule 3001(c)(1) for claims based on writings, it is reasonable to infer that the claim is not based on a written agreement.

5. The claim for \$250,000.00 is inconsistent with the terms of an express agreement between the parties, attached hereto as Exhibit A. This agreement concerning the property at 3300 Laurinburg Rd, Raeford, NC 28736 documents that was no promise of future payment contemplated by the parties at time of conveyance.

6. Similarly, the claim for \$5,000.00 is associated with personal property that was gifted and conveyed as part of the transaction documented in Exhibit, and no money is presently owed.

WHEREFORE, the Debtors respectfully requests that the Court enter an order:

1. Disallowing in its entirety Claim #5 of Jannetta Jordan in the amount of \$255,000.00; and
2. Providing such other relief as the Court deems just and proper.

I, **Lent Christopher Carr, II**, declare under penalty of perjury that the facts recited in the foregoing objection are true and correct to the best of my knowledge, information, and belief.

This the 18th day of August, 2018.

/s/ Lent C. Carr, II

Lent Christopher Carr, II

Respectfully submitted, this the 19th day of August, 2018.

/s/ Erich M. Fabricius

Erich M. Fabricius, NC State Bar No. 39667

Attorney for the Debtors

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**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the attached objection, was served this day on the following parties:

Richard M. Hutson  
Chapter 13 Trustee  
(electronic notice via CM/ECF)

Jannetta Jordan  
4160 Laurinburg Rd.  
Raeford, NC 28376  
(via first class mail)

This 19th day of August 2018

/s/ Erich M. Fabricius